

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

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**Journal of the Senate**

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**JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the fourth day of January in the year of Our Lord two thousand and eleven.**

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Volume 138, No.13

Thursday, February 10, 2011 and  
Tuesday, February 15, 2011

Thirteenth Legislative Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:10 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

**PRESENT** – 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

**ABSENT** – 1: Senator Pinga.

**INVOCATION**

The Honorable President, by unanimous consent, presents Senator Perry to deliver the invocation.

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The Honorable President, by unanimous consent, presents Senator Perry to lead the Senate in the pledge of allegiance to the flag.

**APPROVAL OF RECORD**

The Senate Journal of the Twelfth Legislative Day of the 2011 proceedings is read in part.

Upon suggestion of Senator Perry and by unanimous consent, further reading of the Journal is dispensed with and the Journal approved as recorded.

### **GUESTS**

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President, welcomes to the Chamber Marcus Lingenfelter, Director of the State Government Relations College Board.

### **NEW BUSINESS**

#### **Senate Resolution No. 261**

**BY** Senator Pichardo

**ENTITLED**, SENATE RESOLUTION COMMEMORATING "UNITED WAY 2-1-1 IN RHODE ISLAND" DAY ON FEBRUARY 11TH, 2011

Senator Jabour requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Jabour moves passage, seconded by Senators Algieri, Ruggerio, Perry, Miller, Goodwin, Moura and Kettle.

The resolution is read and passed, upon a voice vote.

Also:

#### **Senate Resolution No. 262**

**BY** Senator O'Neill E

**ENTITLED**, SENATE RESOLUTION EXPRESSING OUR DEEPEST SYMPATHY ON THE UNTIMELY PASSING OF ETHAN HENRY LECOURS

Senator O'Neill requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator O'Neill moves passage, seconded by Senators Algieri, Ruggerio and the entire Senate.

The resolution is read and passed, upon a rising vote.

### **CONSENT CALENDAR**

In order for the day is taken up as follows:

#### **1. 2011-S 30**

**BY** Bates

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

2. **2011-S 64**  
BY Tassoni  
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
3. **2011-S 65**  
BY Bates  
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
4. **2011-S 69**  
BY DeVall  
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
5. **2011-S 257**  
BY DaPonte  
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF  
THE CHARTER DANIEL HOCHBERGER, M.D., INC.
6. **2011-S 258**  
BY Sosnowski  
ENTITLED, SENATE RESOLUTION HONORING DR. JOHN J. WALSH, JR.,  
ON THE OCCASION OF HIS RETIREMENT
7. **2011-S 259**  
BY Bates  
ENTITLED, SENATE RESOLUTION RECOGNIZING AND CONGRATULATING  
SUSAN STORY'S MYRIAD CONTRIBUTIONS TO TAP-IN, INC.,  
AND TO THE PEOPLE OF THE STATE OF RHODE ISLAND
8. **2011-S 260**  
BY Maher  
ENTITLED, SENATE RESOLUTION PROCLAIMING FEBRUARY 6TH TO BE  
"RONALD REAGAN DAY" IN THE STATE OF RHODE ISLAND
9. **2011-H 5009**  
BY Brien  
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF  
THE CHARTER OF THE RHODE ISLAND JUVENILE OFFICERS  
ASSOCIATION, INC.
10. **2011-H 5078**  
BY Lally  
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF  
THE CHARTER OF SUMMER HOUSE, LLC

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, DaPonte, DeVall, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Ruggerio, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### **TRANSMITTAL**

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to His Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

### **GUESTS**

Upon suggestion of Senator Maher and by unanimous consent, the Honorable President, welcomes to the Chamber Councilman Paul Kaltschnee along with his wife Mary Kaltschnee.

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President, welcomes to the Chamber Judy Coluca, Carol Murphy and Russ Carpentier.

### **ANNOUNCEMENTS**

Senator Jabour announces that the Committee on Judiciary will meet today, at the rise of the Senate, in Room 313 of the State House.

Senator Doyle announces that the Committee on Rules will meet today, at the rise of the Senate, in Room 211 of the State House.

Senator Ruggerio announces that the deadline for Senate Bill Introduction will be Thursday, February 17<sup>th</sup>, 2011.

### **RECESS**

Upon motion of Senator Goodwin, seconded by Senator Ruggerio, and upon suggestion of Senator O'Neill, the Senate stands at recess at 4:24 o'clock P.M. in memory of Ethen Henry Lecours.

### **CALLED TO ORDER**

The Senate is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, on Tuesday, February 15, 2011, at 4:18 o'clock P.M.

**FROM THE HOUSE OF REPRESENTATIVES**

A message from the House of Representatives transmits with announcement of passage, of the following measures:

**House Bill No. 5067**

**BY** Edwards, Martin

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Georgiana Jordan to join Meghan Charlene Souza and William Hill Jr. in marriage within the City of Newport, Rhode Island, on or about May 21, 2011)

Received and referred to the Senate Committee on Judiciary.

Also:

**House Bill No. 5097**

**BY** Gordon, Reilly, Edwards, Gallison, Costa

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Zachary Mercurio to join Hannah Minch and Andrew Mercurio in marriage within the Town of Portsmouth, Rhode Island, on or about April 15, 2011)

Received and referred to the Senate Committee on Judiciary.

Also:

**House Bill No. 5219**

**BY** Hearn

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Jared R. Matteson to join Katie L. Chilinski and Adam M. Logan in marriage within the City of Cranston, Rhode Island, on or about February 20, 2011)

Received and referred to the Senate Consent Calendar.

Also:

**House Bill No. 5112**

**BY** Lally

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE POINT JUDITH FISHERMEN'S SCHOLARSHIP FUND, INC.

Received and referred to the Senate Consent Calendar.

**NEW BUSINESS**

**Senate Bill No. 265**

**BY** Senator Walaska

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- DUTIES OF UTILITIES AND CARRIERS--REGULATORY POWERS OF ADMINISTRATION {LC1126/1}

Read and referred to the Senate Committee on Corporations.

Also:

**Senate Bill No. 266**

**BY** Senators Ruggerio, Perry, Gallo, Miller, Tassoni

**ENTITLED**, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - CRUELTY TO ANIMALS

Read and referred to the Senate Committee on Environment and Agriculture.

Also:

**Senate Bill No. 267**

**BY** Senators Lanzi, Miller, Tassoni, Gallo, Lynch

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - RIGHTS OF NURSING HOME PATIENTS {LC1118/1}

Read and referred to the Senate Committee on Health and Human Services.

Also:

**Senate Bill No. 268 (by request)**

**BY** Senators Cote, Lombardo, Sheehan

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE COORDINATING COMMITTEE ON DISABILITY RIGHTS {LC1140/1}

Read and referred to the Senate Committee on Health and Human Services.

Also:

**Senate Bill No. 269**

**BY** Senators Tassoni, Doyle, DeVall

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PASSING, USING OF LANES, AND RULES OF THE ROAD {LC1119/1}

Read and referred to the Senate Committee on Judiciary.

Also:

**Senate Bill No. 270**

**BY** Senators Miller, Perry, Kettle, Jabour, Sosnowski

**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- THE 2011 MARIJUANA POLICY ACT

Read and referred to the Senate Committee on Judiciary.

Also:

**Senate Bill No. 271**

**BY** Senators Ruggerio, Goodwin, McCaffrey, Gallo, Lanzi

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION BENEFITS {LC1072/1}

Read and referred to the Senate Committee on Labor.

Also:

**Senate Bill No. 272**

**BY** Senators Ruggerio, Walaska, Doyle, McCaffrey, Goodwin

**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS {LC1077/1}

Read and referred to the Senate Committee on Labor.

Also:

**Senate Bill No. 273**

**BY** Senators Ruggerio, Goodwin, Jabour, McCaffrey, Lanzi

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- BENEFITS {LC1069/1}

Read and referred to the Senate Committee on Labor.

Also:

**Senate Bill No. 274**

**BY** Senators Ruggerio, McCaffrey, Goodwin, Doyle

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- MEDICAL SERVICES {LC1070/1}

Read and referred to the Senate Committee on Labor.

**INVOCATION**

The Honorable President, by unanimous consent, presents Senator Lanzi to deliver the invocation.

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The Honorable President, by unanimous consent, presents Senator Lanzi to lead the Senate in the pledge of allegiance to the flag.

**NEW BUSINESS****Senate Resolution No. 278**

**BY** Senator Lanzi

**ENTITLED**, SENATE RESOLUTION PROCLAIMING FEBRUARY 20TH THROUGH FEBRUARY 26TH, 2011, TO BE "CHESS AWARENESS WEEK" IN THE STATE OF RHODE ISLAND

Senator Lanzi requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lanzi moves passage, seconded by the Senators Algieri and Ruggerio.

The resolution is read and passed, upon a voice vote.

**GUESTS**

Upon suggestion of Senator Lanzi and by unanimous consent, the Honorable President welcomes to the Chamber members from the Cranston and Warwick Chess Club, Frank Vogel, President John Magill, Vice President and the daughter of Senator Lanzi Sofia Lanzi.

Upon suggestion of Senator Lynch and by unanimous consent, the Honorable President welcomes to the Chamber members representing Ocean State Chess Stephen Moore and Ana Izoria.

Upon suggestion of Senator Lynch and by unanimous consent, the Honorable President welcomes to the Chamber members representing The Greenwood School, Ezekiel Stahl, Kaden Allen, Samuel French, Andrew Whitehead, Crystal Randall, Olivia DeGaetano, Kate Barrett and Elizabeth Barrett Representing St. Philip School Kyle Pianka.

Upon suggestion of Senator Crowley and by unanimous consent, the Honorable President welcomes to the Chamber members of the Central Falls Chess Team, High School Students, Edward Dourant, David Hernandez, Cristian Estrada, Dylan Humphries, Eeron Spencer, Roberto Murcia, Alexander Vasquez, Tyler Gomes, Freddy Monteiro, High School Chess Coach Dan Amadio, Middle School Students Sam Adofu, Cameron Pita, Yang Ming Zou, Jairo Colon,



Naythan Delgado, Sterling Beaucage, Selvin Marroquin, Josmar Garcia, Anthony Lopez, Kalexis Roper and Middle & High School Chess Coach Frank DelBonis.

Upon suggestion of Senator Bates and by unanimous consent, the Honorable President welcomes to the Chamber Stuart Finney, his father Steve Finney and his mother Irene Finney.

Upon suggestion of Senator DiPalma and by unanimous consent, the Honorable President welcomes to the Chamber Ben Goldberg, his father Morris Goldberg, his mother Dorothy Goldberg and his girlfriend Sarah Makzeuski.

Upon suggestion of Senator Felag and by unanimous consent, the Honorable President welcomes to the Chamber Marie Coccio, Chess School League Coordinator for all schools in Rhode Island.

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President welcomes to the Chamber Dan Amadio Board of Directors Member and Central Falls High School Chess Coach.

Upon suggestion of Senator Tassoni and by unanimous consent, the Honorable President welcomes to the Chamber Kyle Pianka.

Upon suggestion of Senator Shibley and by unanimous consent, the Honorable President welcomes to the Chamber Gina Dufrense, Scholastic Elementary Chess League & Tournament Coordinator and Coach of the Central Falls Veterans School Chess Team.

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President welcomes to the Chamber from the Blackstone Chess Academy, David Harris, Chess Master & President Of Blackstone Chess Academy.

Upon suggestion of Senator DeVall and by unanimous consent, the Honorable President welcomes to the Chamber Frank Delbonis.

### **COMMITTEE ON JUDICIARY**

Senator McCaffrey from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

#### **Senate Resolution No. 116**

**BY** Senators McCaffrey, Felag, Lynch

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS "THE RHODE ISLAND CIVIL WAR SESQUICENTENNIAL COMMEMORATION COMMISSION" (resolution would create a twenty-seven (27) member special legislative commission to be known as "The Rhode Island Civil War Sesquicentennial Commemoration Commission")

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 119** as amended

**BY** Senators Bates, Hodgson, McCaffrey, Moura

**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- DIVORCE AND SEPARATION (would allow that if child support has been terminated, suspended or expired the court can re-establish child support if the child has severe mental impairment or a severe impairment if the situation fits the criteria and factors in this statute)

Read and ordered to be placed on the Calendar.

### COMMUNICATIONS

The Honorable President presents the following communications:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
STATE HOUSE**

February 14, 2011

The Honorable M. Teresa Paiva Weed  
President of the Senate  
State House, Room 318  
Providence, RI 02903

Dear Madam President:

Please be advised that I will be out of town on a conference beginning Tuesday February 15, 2011 until February 23, 2011.

I would appreciate you recording my letter in the appropriate Senate Journal. Thank you.

Sincerely,

Frank A. Ciccone, III  
Senator District – 7

Read and ordered to be placed on file.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
STATE HOUSE**

February 15, 2011

Rhode Island State Senate  
State House  
Providence, RI 02903

To The Honorable Senate:

Pursuant to Section 5.2 of the Interim Senate Rules, the following is an list of appointments to the **Senate Joint Legislative Committee on Health Care Oversight**:

Senator Rhoda E. Perry, Co-Chairperson  
Senator Juan M. Pichardo  
Senator John J. Tassoni, Jr.

Senator Joshua B. Miller  
Senator Donna M. Nesselbush  
Senator Christopher S. Ottiano

Sincerely,

M. Teresa Paiva Weed  
President of the Senate

Read and ordered to be placed on file.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
STATE HOUSE**

February 15, 2011

Mr. Joseph R. Brady  
Secretary of the Senate  
State House, Room 145  
Providence, RI 02903

Dear Secretary Brady:

I would like to take this opportunity to respectfully request that the following bill be withdrawn at the sponsor's request. The Legislation I would like to have withdrawn is 2011 Senate Bill 187.

I appreciate your assistance in this matter. If you have any questions, please feel free to contact me.

Sincerely,

Joshua Miller  
Senator District 28

Read and ordered to be placed on file.

**CONSENT CALENDAR**

In order for the day is taken up as follows:

**1. 2011-H 5112**

**BY Lally**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF  
THE CHARTER OF THE POINT JUDITH FISHERMEN'S  
SCHOLARSHIP FUND, INC.

**2. 2011-H 5219**

**BY Hearn**

**ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algiere, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### CALENDAR

#### IN ORDER FOR TUESDAY, FEBRUARY 15, 2011:

**1. Nomination of Craig S. Stenning (reappointment) as Director of the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

Senator Perry seconded by Senators Ruggerio, Lynch, Ottiano, Algiere, DaPonte, Gallo, Miller, Jabour, Sosnowski, McCaffrey and DeVall moves that advice and consent of the Senate be given this appointment.

Senator Maher discusses the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algiere, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### GUESTS

Upon suggestion of Senator Maher and by unanimous consent, the Honorable President welcomes to the Chamber Director of the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals Craig Stenning, his wife Jane Morgan, sons Michael Stenning, Trefor Woronov and his daughter Sian Morgan.

### CALENDAR

**2. Nomination of Catherine T. Taylor (appointment) VICE Corinne Calise Russo as Director of the Department of Elderly Affairs .**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

Senator Perry seconded by Senators Algieri, Ruggerio, DaPonte, Gallo, and Pichardo moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### GUESTS

Upon suggestion of Senator Perry and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed Director of the Department of Elderly Affairs Catherine Taylor along with her husband Robert Taylor and her sons Alden and Asa Taylor

### CALENDAR

#### **3. Nomination of Colonel Brendan P. Doherty (appointment) as Director of the Department of Public Safety.**

Committee on Judiciary recommends that the Senate give its Advice and Consent to this nomination.

Senator McCaffrey seconded by Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Moura, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska moves that advice and consent of the Senate be given this appointment.

Senator Picard discusses the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Shibley

**GUESTS**

Upon suggestion of Senator Moura and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed Director of the Department of Public Safety Colonel Brendon P. Doherty along with his wife Michelle Doherty and U.S Attorney Peter Neronha.

**CALENDAR****4. Nomination of Janet L. Coit (appointment) VICE W. Michael Sullivan a the Director of the Department of Environmental Management .**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

Senator Sosnowski seconded by Senators Ruggerio, Algieri, Goodwin, Gallo, Miller, Felag, Maher, Kettle, Lynch moves that advice and consent of the Senate be given this appointment.

Senator Bates discusses the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**GUESTS**

Upon suggestion of Senator Bates and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed Director of the Department of Environmental Management Janet L. Coit, along with her husband Peter Regan, son Joe Regan and daughter Nina Regan

**NEW BUSINESS****Senate Resolution No. 263**

**BY** Senators Doyle, Ruggerio, Goodwin

**ENTITLED**, SENATE RESOLUTION AMENDING THE RULES OF THE SENATE.

{LC1165/1}

Senator Lanzi requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lanzi moves passage, seconded by Senators Algieri, Ruggerio, McCaffrey, Jabour and Sheehan.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

**Senate Resolution No. 264**

**BY** Senator Ciccone

**ENTITLED**, SENATE RESOLUTION CONGRATULATING JOSEPH R. URGO ON BEING NAMED PRESIDENT OF SAINT MARY'S COLLEGE OF MARYLAND {LC1093/1}

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senators Algieri and Ruggerio.

The resolution is read and passed, upon a voice vote.

Also:

**Senate Resolution No. 275**

**BY** Senators Ruggerio, O'Neill E

**ENTITLED**, SENATE RESOLUTION EXPRESSING OUR DEEPEST CONDOLENCES ON THE PASSING OF JOHN SISTO, JR., FORMER MAYOR OF NORTH PROVIDENCE {LC1274/1}

Senator Ruggerio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ruggerio moves passage, seconded by Senators O'Neill, Goodwin and Jabour.

The resolution is read and passed, upon a rising vote.

Also:

**Senate Resolution No. 276****BY** Senators Ruggerio, Tassoni**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF ROBERT D. TASSONI {LC1085/1}

Senator Ruggerio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ruggerio moves passage, seconded by the Senators Algieri, Sheehan and Fogarty.

The resolution is read and passed, upon a rising vote.

Also:

**Senate Resolution No. 277****BY** Senator Gallo**ENTITLED**, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF RAYMOND MORSE DURFEE

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by the Senators Miller and Lanzi.

The resolution is read and passed, upon a voice vote.

Also:

**Senate Resolution No. 279****BY** Senators Bates, Gallo**ENTITLED**, SENATE RESOLUTION PROCLAIMING FEBRUARY 16TH, 2011, TO BE "I LOVE LIBRARIES DAY" IN THE STATE OF RHODE ISLAND {LC1166/1}

Senator Bates requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Bates moves passage, seconded by the Senators Algieri, Gallo, Metts and Ruggerio.

The resolution is read and passed, upon a voice vote.



**TRANSMITTAL**

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to His Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

**ANNOUNCEMENTS**

Senator Ruggerio makes a recommendation that the entire Senate acknowledges the birthdays of Senators Felag and DaPonte.

Senator Ruggerio announces that the Senate will not meet on Thursday, February 17, 2011.

Senator Lanzi announces that the Committee on Rules will meet today, at the rise of the Senate, in Room 211 of the State House.

**ADJOURNMENT**

Upon motion of Senator Ruggerio, seconded by Senator Algieri, and upon suggestion of Senator Ruggerio, the Senate adjourns at 5:09 o'clock P.M. in memory of John Sisto, Jr., Robert D. Tassoni, Raymond Morse Durfee and George and Mary Theresa Mendonca.

**JOSEPH R. BRADY**  
Secretary of the Senate

**Appendix****INVOCATION****SENATOR RHODA E. PERRY**

God, May all beings be peaceful, may all beings be safe, may all beings be happy, may all beings be awoken to the light of their true nature, may all beings be free. Amen.

**Appendix****INVOCATION****SENATOR BEATRICE A. LANZI**

Heavenly Father, may we undertake our tasks in the spirit of selfless service and devotion. May something of Your gentle ways and sensitivity be implanted in us and expressed in all our actions. Amen.

**Appendix**

**CONSENT CALENDAR**

**IN ORDER FOR WEDNESDAY, FEBRUARY 16, 2011:**

**1. 2011-S 116**

**BY McCaffrey**

**ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE  
COMMISSION TO BE KNOWN AS "THE RHODE ISLAND CIVIL  
WAR SESQUICENTENNIAL COMMEMORATION COMMISSION"

Committee on Judiciary recommends passage.

**2. 2011-H 5269**

**BY Melo**

**ENTITLED,** AN ACT RELATING TO PUBLIC FINANCE - STATE BUDGET

Ordered to be placed on the Consent Calendar

**Joseph R. Brady**  
**Secretary of the Senate**

**Appendix**

**CALENDAR**

**IN ORDER FOR WEDNESDAY, FEBRUARY 16, 2011:**

**1. 2011-S 119 as amended**

**BY Bates**

**ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- DIVORCE  
AND SEPARATION**

Committee on Judiciary recommends passage as amended.

**Joseph R. Brady**  
**Secretary of the Senate**